

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARIA ROSU

Petitioner,

v.

NATALIE ASHER, Field Office Director,
Enforcement and Removal Operations,
Immigration and Customs Enforcement

Respondent.

CASE NO. C13-152 RSM

DISMISSAL ORDER

This matter comes before the Court on Respondent's unopposed Notice of Immigration Judge Bond Decision and Motion to Dismiss (Dkt. # 21). Respondent moves to dismiss the pending Habeas Petition as moot. In Ms. Rosu's petition for writ of habeas corpus under 28 U.S.C. § 2241, she seeks an individualized bond hearing before an immigration judge to challenge the lawfulness of her pre-removal detention under 8 U.S.C. § 1226(c). On May 13, 2013, the immigration judge held a bond hearing for Petitioner and ordered her released from custody under a bond of \$15,000. Dkt. # 21-1. Because Ms. Rosu has been afforded a hearing

1 before an immigration judge and was released from custody, there is no other relief the Court can
2 provide. The court does not have power to decide a case that does not affect the rights of
3 litigants in the case before it. *Mitchell v. Dupnik*, 75 F.3d 517, 527-28 (9th Cir. 1996).

4 Accordingly, the Petition for Writ of Habeas Corpus is MOOT and shall be dismissed.

5 Having reviewed Defendant's motion, the attached exhibits, and the remainder of the
6 record, the Court hereby finds and ORDERS:

7 (1) Respondent's Motion to Dismiss (Dkt. # 21) is GRANTED;

8 (2) The Petition for Writ of Habeas Corpus is DISMISSED AS MOOT;

9 (3) The Clerk is directed to send a copy of the Order to all counsel of record.

10 Dated this 11 day of June 2013.

11
12
13 

14 RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE
15
16
17
18
19
20
21
22
23
24